

86th Legislative Session – 2011

Committee: House Local Government

Tuesday, March 01, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Deelstra
P Feickert
P Kloucek
P Magstadt
P Munsterman
P Olson (Betty)
P Rausch
P Schrempp
P Tornow
P Tulson
P Venner
P Cronin, Vice-Chair
P Kirkeby, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Mark Kirkeby, Chairman.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 24, 2011

Moved by: Venner
Second by: Rausch
Action: Prevailed by voice vote.

SB 71: prohibit the use of certain handheld electronic wireless devices for electronic messaging while driving.

Presented by: Representative Jim Bolin
Senator Craig Tieszen
Proponents: Loren Vallancourt, self, Huron

Joe Kavanaugh, Self, Brookings
Parker Merchant, self, Brookings
Amanda Block, self, Midland
Janean Christensen, self, Mitchell
James Johns, SD Police Chiefs' Association
Lyndon Overweg, SD Police Chiefs, Mitchell
Paul Bachand, SD State's Attorneys Association
Staci Eggert, SD Sheriff's Association
Deb Fischer Clemens, Avera Health
Dick Tieszen, State Farm Insurance
Mark Madeja, AAA South Dakota (Handouts: #1)
Dave Gerdes, SD State Medical Association
Myron Rau, SD Trucking Association
Bob Miller, Funeral Director's Association
Bob Miller, Dakota Transit Association
Greg Boris, South Dakota Voices for Children
Brittany Novotny, SD Nurses Association
Mike Shaw, American Family Mutual Insurance Company
Paul Goldammer, Alliance of Automobile Manufacturers
Opponents: Traci Smith, SD Association of Criminal Defense Lawyers
Representative Bob Deelstra
Representative Betty Olson

MOTION: AMEND SB 71

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On the printed bill, delete everything after the enacting clause and insert:

"

Section 1. That § 32-24-1 be amended to read as follows:

32-24-1. Any person who drives or operates any vehicle upon a highway, alley, public park, recreational area, or upon the property of a public or private school, college, or university carelessly and heedlessly in disregard of the rights or safety of others, or without due caution and circumspection, including any distracted driving, and at a speed or when operating such a vehicle in a manner so as to endanger or be likely to endanger any person or property, is guilty of reckless driving. Reckless driving is a Class 1 misdemeanor."

Moved by: Tornow

Second by: Magstadt
Action: Failed by roll call vote. (3-10-0-0)

Voting Yes: Kloucek, Olson (Betty), Tornow

Voting No: Deelstra, Feickert, Magstadt, Munsterman, Rausch, Schrempp, Tulson, Venner, Cronin, Kirkeby

MOTION: DO PASS SB 71

Moved by: Schrempp
Second by: Feickert
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 71 TO THE 41ST LEGISLATIVE DAY

Moved by: Rausch
Second by: Tornow
Action: Prevailed by roll call vote. (8-5-0-0)

Voting Yes: Deelstra, Magstadt, Olson (Betty), Rausch, Tornow, Venner, Cronin, Kirkeby

Voting No: Feickert, Kloucek, Munsterman, Schrempp, Tulson

MOTION: ADJOURN

Moved by: Cronin
Second by: Deelstra
Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Mark Kirkeby, Chair